IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 887 (M/S) of 2002
(Old No. 7271 of 1997).

Executive Engineer, Lakhwar Dam
Construction Division-I, Dakpathar
Dehradun and another ……... Petitioners

Versus

Presiding Officer, Labour Court,
Dehradun and two others. …..…. Respondents

……

Hon'ble P.C.Verma,J.

Heard learned Standing Counsel as well as Sri Gopal Narain, learned counsel for respondent No.2.

The case of the respondent No. 2 is that he worked as Draughtsman with the employer establishment on daily wages with effect from 10.03.1988 but on 31.03.1992 his services were terminated without giving prior notice to him, and without complying the provisions of Section 6-N of the U.P. Industrial Disputes Act, 1947 on the ground that henceforth the services of the petitioner are not required.

The Labour Court held that the termination of workman was illegal and improper and directed the petitioner to reinstate the respondent No. 2 in service.

The controversy is squarely covered by the judgment of this Court in **Civil Misc. Writ Petition No. 1530 (M/S) of 2001, State of U.P. versus Presiding Officer, Labour Court and another delivered on 24.10.2002,** in which the establishment has been held to be an **'Industry'** and the respondents have been held to be workmen. Therefore, the judgment of Labour Court does not suffer from any illegality or infirmity.

Accordingly, the writ petition is dismissed. No order as to costs.

(P.C.Verma, J.)

11.09.2003
P.Singh